

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

IN RE:	*	CASE NO. 13-59867
	*	
BARRY RONALD SMITH , JR.,	*	
AND	*	CHAPTER 7
LEE UMSTEAD SMITH,	*	
AKA LUCRECIA LEE UMSTEAD,	*	
	*	
DEBTORS.	*	JUDGE BARBARA ELLIS-MONRO
	*	
BARRY RONALD SMITH , JR.,	*	
LEE UMSTEAD SMITH,	*	
MOVANTS,	*	CONTESTED MATTER
VS.	*	
	*	
THE BANK OF NEW YORK MELLON TRUST	*	
COMPANY, NATIONAL ASSOCIATION FKA	*	
THE BANK OF NEW YORK TRUST	*	
COMPANY, N.A. AS SUCCESSOR TO JP	*	
MORGAN CHASE BANK, N.A. AS TRUSTEE	*	
FOR RFMSII 2006-HI2, IN C/O OCWEN LOAN	*	
SERVICING, LLC,	*	
RESPONDENT.	*	

**WITHDRAWAL OF MOTION TO DETERMINE SECURED STATUS OF CLAIM
OF JUNIOR LIEN HOLDER THE BANK OF NEW YORK MELLON TRUST
COMPANY, NATIONAL ASSOCIATION FKA THE BANK OF NEW YORK
TRUST COMPANY, N.A. AS SUCCESSOR TO JP MORGAN CHASE BANK,
N.A. AS TRUSTEE FOR RFMSII 2006-HI2, IN C/O OCWEN LOAN SERVICING,
LLC**

COME NOW Barry Ronald Smith , Jr. and Lee Umstead Smith, Debtors in the above-styled Chapter 13 case, and through counsel withdraw “Motion to Determine Status of Claim of Junior Lien Holder The Bank of New York Mellon Trust Company, National Association FKA The Bank of New York Trust Company, N.A. as Successor to JP Morgan Chase Bank, N.A. as Trustee for RFMSII 2006-HI2, in c/o Ocwen Loan Servicing, LLC,” filed on August 28, 2013 as docket entry number 33.

Respectfully submitted,
Clark & Washington, LLC

/s/_____

Thomas J. Reichard

GA Bar No. 150822

Attorney for the Debtor

Clark & Washington, LLC
3300 Northeast Expressway
Building 3
Atlanta, GA 30341
(404) 522-2222
fax (770) 220-0685

CERTIFICATE OF SERVICE

I certify that I served the parties listed below with a true and correct copy of the within and foregoing “Withdrawal of Motion to Determine Status of Claim of Junior Lien Holder The Bank of New York Mellon Trust Company, National Association FKA The Bank of New York Trust Company, N.A. as Successor to JP Morgan Chase Bank, N.A. as Trustee for RFMSII 2006-HI2, in c/o Ocwen Loan Servicing, LLC” by placing the same in the United States Mail with adequate postage affixed to ensure delivery, and addressed as indicated:

Barry Ronald Smith , Jr.
Lee Umstead Smith
2851 Fontainebleau Drive
Atlanta, GA 30360

Jeffrey K. Kerr – Chapter 7 Trustee
241 West Wieuca Road, NE
Suite 130
Atlanta, GA 30342-3300

The Bank of New York Mellon, N.A.
Gerald L. Hassell, CEO
One Wall Street
New York, NY 10286

JP Morgan Chase Bank, N.A.
c/o Aldridge Connors, LLP
Attn: Matthew J. Dyer
Fifteen Piedmont Center
3575 Piedmont Road, N.E., Suite 500
Atlanta, GA 30305

The Bank of New York Mellon, N.A.
Reg. Agent: CT Corporation System
1201 Peachtree Street, NE
Atlanta, GA 30361

JP Morgan Chase Bank, N.A.
Reg. Agent: CT Corporation System
1201 Peachtree Street NE
Atlanta, GA 30361

Chase Home Finance, LLC
Corporate Response Center
3415 Vision Drive
Columbus, OH 43219-6009

JP Morgan Chase Bank, N.A.
James L. Dimon, CEO
270 Park Avenue
New York, NY 10017

Chase Home Finance, LLC
Glenn J. Mouridy, President and CFO
1001 Fannin Street
Houston, Texas 77002

Chase Home Finance, LLC
Glenn J. Mouridy, President and CFO
343 Thornall Street, Suite 7
Edison, NJ 08837

Ocwen Loan Servicing, LLC
Reg. Agent: Corporation Service Company
40 Technology Pkwy South, #300
Norcross, GA 30092

Chase Home Finance, LLC
Reg. Agent: The Corporation Trust
Company
Corporation Trust Center
1209 Orange Street
Wilmington, DE 19801

Ocwen Loan Servicing, LLC
Ronald M. Faris, President and CEO
1661 Worthington Road, Suite 100
West Palm Beach, FL 33409

I further certify that, by agreement of the parties, Mary Ida Townson, Standing Chapter 13 Trustee, was served via the ECF electronic mail/noticing system.

Dated: 12/26/13

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/s/

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